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10/627,020	07/25/2003	Margaret McCormack	P-9589	3663

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.
10/627,020</td><td>Applicant(s)
MCCORMACK, MARGARET</td></tr>
<tr><td>Examiner
THOMAS J. DAILEY</td><td>Art Unit
2152</td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 November 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23,25,27 and 30-39* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23, 25, 27, and 30-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-23, 25, 27, and 30-39 are pending.

2. A request for continued examination under 37 CFR 1.114, including the fee set
   forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since
   this application is eligible for continued examination under 37 CFR 1.114, and the
   fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous
   Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's
   submission filed on November 19, 2007 has been entered.

Response to Arguments

3. The U.S.C. 112 rejections and claim objections directed at claims 1-13, 25, 27,
   and 30-39 are withdrawn in view of applicant's filed amendments and arguments.

4. The applicant argues with respect to claims 1, 3, 5, 19, 30, 33, 36, and 38 that
   Pioch ("A short IRC primer," February 29, 1993) only discloses a client program
   that can connect to a server and fails to disclose "at least on target computer
   system" (the target computer system being distinct from the server) which
   receives commands from the client program. Further the applicant contends
   Pioch fails to teach "a chat window displayed to the user."

5. The examiner disagrees. Pioch discloses a collaborative shell program (pg. 4,
   sec. 1.1: paragraph 5, "IRC is based...", the server program reads on

"collaborative shell program"), the collaborative shell program linking a command line interface of a command line interface (CLI) shell program on one or more user computer systems (pg. 4, sec. 1.1: paragraph 5, client program reads on "CLI shell program on one or more user computer systems") to an instant messaging/chat capability of an IM server application (pg. 4, sec. 1.1: paragraph 5, server program reads on "IM server application") to permit a user of at least one user computer system to issue commands to at least one target computer system on the network via a chat window displayed to the user on the at least one user computer system (pg. 5, sec. 1.4: paragraph 2, commands are entered via the CLI such commands including /INVITE and /KICK by clients which elicit responses from a target computer running a separate client application version of IRC (pg. 14, sec. 2.3: paragraphs 13-15 : /INVITE <nickname> [<channel>] and pg. 14, sec. 2.3: paragraphs 19-20 : /KICK [<channel>] <nickname>).

6. Applicant's arguments with respect to claim 22 have been considered but are moot in view of the new ground(s) of rejection.

7. Lastly, the applicant argues with respect to claims 36 and 38 that Appelman in view of Pioch fail to disclose "querying from a collaborative shell program on an instant messaging (IM) server computer system one or more target computer system on a network for status information."

8. The examiner disagrees. Appelman discloses querying from a collaborative shell

program on an instant messaging (IM) server computer system one or more

target computer system on a network for status information (column 8, lines 2-8,

logon status system (further disclosed on column 3, lines 29-32 and with the

remote server with the remote server it is running on reading on an instant

messaging server) keeps track of logon status changes (status information)).

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public
> use or on sale in this country, more than one year prior to the date of application for patent in the United
> States.

10. Claims 1-12, 19-21, 30, and 32-35, are rejected under 35 U.S.C. 102(b) as being

anticipated by Pioch ("A short IRC primer", Edition 1.1b, February 28, 1993).

11. As to claim 1, Pioch discloses a system for synchronous collaborative shell

integrated instant messaging comprising:

    a network (pg. 3, sec. 1.1: paragraph 1);

    an instant messaging (IM) server computer system coupled to the network

(pg. 4, sec. 1.1: paragraph 5,) the IM server computer system comprising:

        a collaborative shell program (pg. 4, sec. 1.1: paragraph 5, "IRC is

based…", the server program reads on "collaborative shell program"), the

collaborative shell program linking a command line interface of a command line

interface (CLI) shell program on one or more user computer systems (pg. 4, sec.

1.1: paragraph 5, client program reads on "CLI shell program on one or more

user computer systems") to an instant messaging/chat capability of an IM server

application (pg. 4, sec. 1.1: paragraph 5, server program reads on "IM server

application") to permit a user of at least one user computer system to issue

commands to at least one target computer system on the network via a chat

window displayed to the user on the at least one user computer system (pg. 5,

sec. 1.4: paragraph 2, commands are entered via the CLI such commands

including /INVITE and /KICK by clients which elicit responses from a target

computer running a separate client application version of IRC (pg. 14, sec. 2.3:

paragraphs 13-15 : /INVITE <nickname> [<channel>] and pg. 14, sec. 2.3:

paragraphs 19-20 : /KICK [<channel>] <nickname>)

at least one user computer system coupled to the network (pg. 4, sec. 1.1:

paragraph 5, a client), the at least one user computer system comprising:

an instant messaging (IM) client application (pg. 3, sec. 1.1:

paragraph 1), and

the command line interface (CLI) shell program, the CLI shell

program further including a command line interface; and (pg. 6, sec. 1.5:

paragraph 1); and

at least one target computer system coupled to the network (pg. 4, sec. 1.1:

paragraph 5, another client program, i.e. one that receives message from a first

client).

12. As to claim 30, Pioch discloses a method for synchronous collaborative shell

integrated instant messaging comprising:

receiving an event at an instant messaging (IM) server computer system on a

network to open a session connection to an instant messaging (IM) client

application on at least a first user computer system on the network (pg. 13, sec.

2.3: paragraphs 7-9 : /JOIN [<channel>]);

opening a session connection to the IM client application on the at least a first

user computer system (pg. 13, sec. 2.3: paragraphs 7-9 : /JOIN [<channel>]);

starting a session (pg. 13, sec. 2.3: paragraphs 7-9 : /JOIN [<channel>]);

receiving an event to open one or more additional connections within the

session to one or more target computer systems on the network (pg. 14, sec. 2.3:

paragraphs 13-15 : /INVITE <nickname> [<channel>]);

opening the one or more additional connections to each of the one or more

target computer systems (pg. 14, sec. 2.3: paragraphs 13-15 : /INVITE

<nickname> [<channel>]);

receiving text input from the at least a first user computer system and the one

or more target computer systems (any text input entered in the channel will be

sent to other clients; pg. 5, sec. 1.4: paragraph 3);

intercepting the text at the IM server computer system by a collaborative shell

program (pg. 5, sec. 1.3: paragraph 1), the collaborative shell program linking a

command line interface of a command line interface (CLI) shell program on the

first user computer system to an instant messaging/chat capability of an IM

server application on the IM server (pg. 4, sec. 1.1: paragraph 5, the server

program reads on "IM server application", a client program reads on "the first

user computer system") to permit the user of the first user computer system to

issue commands to at least one target computer system on the network via a

chat window displayed to a user on the first user computer system, wherein the

text includes one or more characters (pg. 5, sec. 1.4: paragraph 2, commands

are entered via the CLI such commands including /INVITE and /KICK which elicit

responses from a target computer (pg. 14, sec. 2.3: paragraphs 13-15 : /INVITE

<nickname> [<channel>] and pg. 14, sec. 2.3: paragraphs 19-20 : /KICK

[<channel>] <nickname>)), and;

determining whether the text includes a predefined command character (pg.

5, sec. 1.4: paragraphs 3-4);

upon a determination that the text includes the predefined command

character, sending the remaining characters to the one or more target computer

systems (pg. 5, sec. 1.4: paragraphs 3); and

upon a determination that the first character of the text is not the predefined

command character, sending the text to an IM server application utilized by the

IM server computer system (pg. 5, sec. 1.4: paragraphs 4).

13. As to claims 3, 5-6, 19, and 21, they are rejected by the same rationale set forth in claim 30's rejection.

14. As to claim 33, it is rejected by the same rationale set forth in claim 1's rejection.

15. As to claim 2, Pioch discloses the at least one user computer system further comprises:

    a processor (inherent in pg. 1, Abstract: paragraph 1);

    an operating system (inherent in pg. 1, Abstract: paragraph 1);

    an input device (inherent in pg. 1, Abstract: paragraph 1); and

    a display (inherent in pg. 1, Abstract: paragraph 1).

16. As to claims 4, 7, 20, and 32, Pioch discloses receiving a response from the at least one target computer system and automatically sending the response to the user computer system (pg. 5, sec. 1.4: paragraph 3, any user in the channel reads on at least one target computer system and anything they type will be received by the current user).

17. As to claim 8, Pioch discloses the predefined command character is a character not assigned a functionality by a command line interface (CLI) shell program utilized by the user computer system (pg. 5, sec. 1.4: paragraph 2).

18. As to claim 9, Pioch discloses the predefined command character is an asterisk (pg. 5, sec. 1.4: paragraph 2, as "/" is only the default command designator, it is up to the user's preference to select one and the asterisk can be selected).

19. As to claim 10, Pioch discloses the subsequent characters are a command (pg. 5, sec. 1.4: paragraph 2).

20. As to claim 11, Pioch discloses the response is sent as an instant message (pg. 5, sec. 1.4: paragraph 3).

21. As to claim 12, Pioch discloses receiving a selection of the at least one target computer system from the user computer system over the network (pg. 10, sec. 2.2: paragraph 6, /QUERY command).

22. As to claim 34, Pioch discloses instant messaging functionalities and chat functionalities (pg. 1, Abstract: paragraph 1).

23. As to claim 35, Pioch discloses means for authenticating each of the one or more users on the one or more user computer systems to each of the one or more target computer systems over the network (pg. 32, sec. 3.7, clients are

associated with a nickname and they are a means of authentication because

there can be only one of a particular nickname).

Claim Rejections - 35 USC § 103

24. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

25. Claims 22-23, 25, and 27, are rejected under 35 U.S.C. 103(a) as being

unpatentable over Appelman (US Pat. 6,677,968) in view of Canessa et al (US

Pub. No. 2004/0224772).

26. As to claim 22, Appelman discloses a graphical user interface for display to a

user on a display device of a computer system coupled to a network, said

graphical user interface comprising:

at least one selectable identifier of a target computer system coupled to a

network, said selectable identifier identifying an target computer system for

connection in a synchronous collaborative shell integrated instant messaging

session (Fig. 3 and column 4, lines 9-18); and

Appelman does not explicitly disclose at least one selectable identifier of a program selected from the group consisting of a script, a bot, and an agent, said selectable identifier identifying a program executable in the synchronous collaborative shell integrated instant messaging session.

However, Canessa discloses disclose at least one selectable identifier of a program selected from the group consisting of a script, a bot, and an agent, said selectable identifier identifying a program executable in the synchronous collaborative shell integrated instant messaging session (Fig. 6, label 606 and [0031], once engaged in IM chat with another user, a two person (or more) game may be played between them, initiated by a selection from the pull down menu).

Therefore it would have been obvious to one of ordinary skill at the time of the invention to combine the teachings of Appelman and Canessa in order to allow users to collaborate online utilizing interactive programs that can be conveniently launched through an instant messaging client.

27. As to claim 23, Appelman and Canessa disclose the parent claim 22, and further disclose a status indicator associated with the at least one selectable identifier of a target computer system coupled to a network (Appelman, Fig. 3 (each user has a status indicator, either IN or OUT) and column 4, lines 9-18).

28. As to claim 25, Appelman and Canessa disclose the parent claim 22, and further disclose at least one selectable identifier of a user having access to the network (Appelman, Fig. 3 and column 4, lines 9-18).

29. As to claim 27, Appelman and Canessa disclose the parent claim 22, and further disclose a status indicator associated with the at least one selectable identifier of a program selected from the group consisting of a script, a bot, and an agent (Canessa, [0030]).

30. Claims 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pioch as applied to claims 5 and 12 above, and further in view of Appelman.

31. As to claim 13, Pioch discloses the invention substantially with regard to the parent claim 12, but does not disclose the selection of the at least one target computer system is input on a first graphical user interface displayed on the user computer system.

   However, Appelman discloses the selection of the at least one target computer system is input on a first graphical user interface displayed on the user computer system (column 6, lines 23-31).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Pioch and Appelman in order to utilize the more user friendly environment of the graphical user interface of Appelman's invention with the functionality of Pioch's invention.

32. As to claim 14, Appelman and Pioch disclose the invention substantially with regard to the parent claim 13, and further disclose the first graphical user interface is a buddy list (Appelman, column 6, lines 23-31).

33. As to claim 15, Appelman and Pioch disclose the invention substantially with regard to the parent claim 13, and further disclose the first graphical user interface is displayed by an instant messaging (IM) client application on the user computer system (Appelman, column 6, lines 23-31).

34. As to claim 16, Pioch discloses the invention substantially with regard to the parent claim 5, but does not disclose the text is input to a second graphical user interface displayed on the user computer system.

However, Appelman discloses the text is input to a second graphical user interface displayed on the user computer system (column 6, lines 23-31).

Therefore it would have been obvious to one of ordinary skill in the art at the

time of the invention to combine the teachings of Pioch and Appelman in order to

utilize the more user friendly environment of the graphical user interface of

Appelman's invention with the functionality of Pioch's invention and segregate

conversations with different users in separate chatting windows, thus allowing

greater ease of use for the user.

35. As to claim 17, Appelman and Pioch disclose the invention substantially with

regard to the parent claim 16, and further disclose the second graphical user

interface is a chat window (Appelman, column 6, lines 23-31).

36. As to claim 18, Appelman and Pioch disclose the invention substantially with

regard to the parent claim 17, and further disclose the second graphical user

interface is displayed by an instant messaging (IM) client application on the user

computer system (Appelman, column 6, lines 23-31).

37. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pioch as

applied to claim 30 above, and further in view of McGee et al (US Pub. No.

2004/0019701), hereafter "McGee".

38. As to claim 31, Pioch discloses the invention substantially with regard to the

parent claim 30, but does not disclose authenticating that a user of the at least a

first user computer system has access rights to the one or more target computer

systems on the network.

However, McGee discloses authenticating that a user of the at least a first

user computer system has access rights to the one or more target computer

systems on the network ([0023]).

Therefore it would have been obvious to one of ordinary skill in the art at the

time of the invention to combine the teachings of Pioch and McGee in order to

extend the functionality of Pioch's invention by giving clients the ability to access

files.

39. Claims 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Appelman in view of Pioch.

40. As to claim 36, Appelman discloses a method for monitoring status information

over a network (Abstract) comprising:

periodically querying from a collaborative program on an instant messaging

server computer system one or more target computer systems on a network for

status information (column 8, lines 2-8);

receiving the status information returned from the one or more target

computer systems (column 1, lines 59-65);

and providing a user at a user computer system on the network with an

indication of the status of the one or more target computer systems in a graphical

user interface displayed on the user computer system by an instant messaging

(IM) client application (Fig. 3 and column 4, lines 9-18).

But, Appelman does not explicitly disclose a collaborative shell program

linking a command line interface of a command line interface (CLI) shell program

on the one or more user computer systems to an instant messaging/chat

capability of an IM server application on an IM server to permit users of the one

or more user computer systems to issue commands to the one or more target

computer systems on the network via a chat window displayed to the users on

the one or more user computer systems.

However, Pioch discloses a collaborative shell program (pg. 4, sec. 1.1:

paragraph 5, IRC clients read on "a collaborative shell program"), linking a

command line interface of a command line interface (CLI) shell program on the

one or more user computer systems to an instant messaging/chat capability of an

IM server application on an IM server to permit users of the one or more user

computer systems to issue commands to the one or more target computer

systems on the network via a chat window displayed to the users on the one or

more user computer systems (pg. 5, sec. 1.4: paragraph 2, commands are

entered via the CLI such commands including /INVITE and /KICK which elicit

responses from a target computer (pg. 14, sec. 2.3: paragraphs 13-15 : /INVITE

<nickname> [<channel>] and pg. 14, sec. 2.3: paragraphs 19-20 : /KICK

[<channel>] <nickname>).

Therefore it would have been obvious to one of ordinary skill in the art at the

time of the invention to combine the teachings of Appelman and Pioch in order to

utilize Pioch's command line interface which allows for a multitude of commands

to be entered and sent to remote computer systems, thereby giving the user a

more robust system overall.

41. As to claim 38, Appelman discloses a method for monitoring status information

over a network comprising:

periodically querying from a collaborative program on an instant messaging

server computer system at least one program selected from the group consisting

of a script, a bot, and an agent for status information (column 8, lines 2-8);

receiving the status information returned from the at least one program

(column 1, lines 59-65); and

providing a user at a user computer system on the network with an indication

of the status of the at least one program in a graphical user interface displayed

on the user computer system by an instant messaging (IM) client application (Fig.

3 and column 4, lines 9-18).

But, Appelman does not explicitly disclose a collaborative shell program for

linking a command line interface of a command line interface (CLI) shell program

on the one or more user computer systems to an instant messaging/chat

capability of an IM server application on an IM server to permit users of the one

or more user computer systems to issue commands to the one or more target

computer systems on the network via a chat window displayed to the users on

the one or more user computer systems.

However, Pioch discloses a collaborative shell program (pg. 4, sec. 1.1:

paragraph 5, "IRC is based...", the server program reads on "collaborative shell

program"), the collaborative shell program linking a command line interface of a

command line interface (CLI) shell program on one or more user computer

systems (pg. 4, sec. 1.1: paragraph 5, client program reads on "CLI shell

program on one or more user computer systems") to an instant messaging/chat

capability of an IM server application (pg. 4, sec. 1.1: paragraph 5, server

program reads on "IM server application") to permit a user of at least one user

computer system to issue commands to at least one target computer system on

the network via a chat window displayed to the users on the at least one user

computer system (pg. 5, sec. 1.4: paragraph 2, commands are entered via the

CLI such commands including /INVITE and /KICK by clients which elicit

responses from a target computer running a separate client application version of

IRC (pg. 14, sec. 2.3: paragraphs 13-15 : /INVITE <nickname> [<channel>] and

pg. 14, sec. 2.3: paragraphs 19-20 : /KICK [<channel>] <nickname>))

Therefore it would have been obvious to one of ordinary skill in the art at the

time of the invention to combine the teachings of Appelman and Pioch in order to

utilize Pioch's command line interface which allows for a multitude of commands

to be entered and sent to remote computer systems, thereby giving the user a

more robust system overall.

42. As to claims 37 and 39, Appelman and Pioch disclose the invention substantially

with regard to the parent claims 36 and 38, and further disclose the indication of

the status of the one or more target computer systems is provided by a status

indicator displayed in the graphical user interface and associated with each of the

one or more target computer systems (Appelman, Fig. 3 and column 4, lines 9-

18).

Conclusion

43. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thomas J. Dailey whose telephone number is

571-270-1246. The examiner can normally be reached on Monday thru Friday;

9:00am - 5:00pm.

44. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax

phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

45. Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/T. J. D./
Examiner, Art Unit 2152

/Bunjob Jaroenchonwanit/
Supervisory Patent Examiner, Art Unit 2152